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Environment Department Executes Agreement to Proactively Clean Up Hurley Soils

(Santa Fe, NM) — The New Mexico Environment Department (NMED) has approved a protective clean up level for copper concentrations in soils in the Town of Hurley. This clean up level is the first ever adopted in the United States for copper. Under this agreement, participating property owners in the Town of Hurley in southwestern New Mexico will have their land cleaned of copper to a level of 5,000 milligrams per kilogram (mg/kg). All clean up will be paid for by the Chino Mines Company, a wholly owned subsidiary of Phelps Dodge Mining.

“This agreement will ensure that the health of the people of Hurley will be protected,” said Environment Secretary Ron Curry. “This is a proactive agreement that puts clean up on the fast track and allows NMED the flexibility to require further clean up in the future if the situation warrants.”

Health studies have shown that ingestion of elevated levels of copper can cause stomach or intestinal distress as well as kidney and liver damage.

This clean up level of 5,000 mg/kg will be legally enforceable through the Administrative Order on Consent between NMED and Chino Mines Co. This order also stipulates that:

- Chino shall identify all residences in Hurley with children under eight years of age.
- Chino shall develop a public health advisory that describes the extent of copper contamination in the area, associated potential health risks, and directs anyone with health concerns to contact NMED. All residents shall receive a copy of this advisory.
- NMED reserves the right to modify the clean up level at any time if future information indicates that remaining copper in the soil poses a threat to human health or the environment.

The 5,000 mg/kg copper level represents a mutual agreement between NMED and Chino Mines Co. It is in line with a level recommended by the U.S. Environmental Protection Agency.

“A protracted fight over this issue could have delayed clean up for years,” said Secretary Curry. “Given that, we felt it was better to reach an agreement that can be implemented quickly while still reserving the right to require further clean up in the future if necessary.”

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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